IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 841 OF 2004
IN
Summary SUIT NO. 3143 OF 2000

Nemchand Jakhubhai Vira . .... Plaintiff
vs.
Laxmichand Lalji Poladia . ... Defendant

D. H. Mehta with P.N. Vira for Plaintiff
Niranjan Lapasiya i/b. Niaranjan & Co., for defendant

CORAM: S. U. KAMDAR J.

Date: 28/9/2005

P.C.

The present suit is filed on a purported acknowledgment. Exhibit "B". It is not disputed that the said document has been obtained in the course of police investigation when the defendant was called in the police station. The said document has been signed before the police. The police report is at exhibit B2. In that view of the matter triable issue arises. Conditional leave to defend.

Summons for Judgment dismissed.

Suit transferred to the list of Commercial causes. Written statement or points of defence to be filed four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.

(S. U. KAMDAR J.)